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8
9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA
11

12 MICHAEL B. WADSWORTH,
13 Petitioner,
14 vs.
15 BRIAN E. WILLIAMS, et al.,
16 Respondents.
17

2:13-cv-00401-GMN-GWF

**UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME IN WHICH
TO FILE AN OPPOSITION TO
MOTION TO DISMISS**

(First Request) **AND ORDER**

18
19 The Petitioner, Michael B. Wadsworth (Wadsworth), through counsel files this extension of time
20 to file an opposition to motion to dismiss. Petitioner requests that this Court grant him an extension of
21 time of fifteen (15) days to file an opposition to motion to dismiss, causing the new deadline to be
22 September 30, 2014.

23 DATED this 11th day of September, 2014.

24 Respectfully submitted,

25 LAW OFFICES OF THE
FEDERAL PUBLIC DEFENDER

26 By: /s/ Megan C. Hoffman
27 MEGAN C. HOFFMAN
Assistant Federal Public Defender

/s/ Danice Arbor Johnson
DANICE ARBOR JOHNSON
Research and Writing Attorney

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1 **POINTS AND AUTHORITIES**

2 1. The Petitioner (hereinafter “Wadsworth”) was convicted of first degree murder with use
3 of a deadly weapon and sentenced to two consecutive 20-to-50-year prison terms.

4 2. Wadsworth commenced this action on February 27, 2013, the date that he provided his
5 pro se § 2254 Petition and accompanying documents to prison authorities for mailing to this Court.
6 Clerk’s Record (CR) 1, 6. He asked for the appointment of counsel, and on May 10, 2013, the Court
7 appointed this office to represent him. CR 5. Counsel entered her notice of appearance on June 10,
8 2013. CR 8.

9 3. On July 24, 2013, counsel filed a First Amended Petition with accompanying exhibits.
10 CR 9-17. Counsel simultaneously filed a Request for Leave and Extension of Time to file a Second
11 Amended Petition on the same date. CR 20. That request was granted on July 26, 2013. CR 21.
12 Wadsworth’s Second Amended Petition was filed December 6, 2013. CR 26. On August 28, 2014,
13 Respondent’s filed their Motion to Dismiss. CR 34.

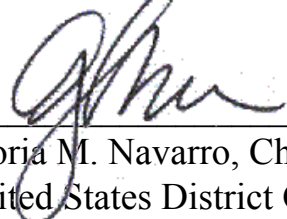
14 4. Counsel for Petitioner requires additional time to file the opposition to motion to dismiss,
15 including time to consult with Mr. Wadsworth. This is the first extension of time. Counsel represents
16 that she will continue to exercise due diligence in preparing this case and will be able to file the
17 opposition to motion to dismiss within the time requested absent unforeseen circumstances.

18 5. This motion is not for purposes of delay but in the interests of justice and the interests
19 of the Petitioner, Mr. Wadsworth.

20 6. On September 10, 2014, counsel for Petitioner contacted counsel for Respondents,
21 Deputy Attorney General Jared Frost, concerning this request for an extension of time. Mr. Frost advised
22 he is not opposed to this request for an extension.

23 7. Wadsworth respectfully requests that this Court grant this motion and order that the
24 opposition to motion to dismiss be filed on or before September 30, 2014.

25 **IT IS SO ORDERED.**

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27 _____
28 Gloria M. Navarro, Chief Judge
United States District Court